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29989 7590 11/26/2008 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/803,772

**Applicant(s)**

PITHAWALA ET AL.

**Examiner**

MARIE GEORGES HENRY

**Art Unit**

2455

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 28-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 28-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

1. This is in response to the amendment filed on 08/14/2008. Claims 1-4, 28, and 33 are amended. Claims 7-27 are cancelled. Claims 42-61 are new. Claims 1-6 and 28-61 are pending. Claims 1-6 and 28-61 are directed to method and apparatus providing device-initiated network management.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

### **Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

*(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

4. Claims 1, 28, 33 - 37, 42, 48, 53 - 57 are rejected under 35 U.S.C. 102(b) as being anticipated by **Green** et al. (**US 6,003,084**).

*Green discloses the invention as claimed including method and apparatus providing device-initiated network management.*

Regarding claim 1, Green discloses a method of managing a network entity that is initiated by the network entity, the method comprising: performing, at the network entity, the computer-implemented steps of:

monitoring the network entity; periodically evaluating one or more specified conditions at the network entity (Green, column 8, lines 14-24, fig.3b, in a proxy device, data is conformed with predefined conditions and is monitored by a connection manager);

when one or more of the specified conditions are satisfied, then: gathering specified information from the network entity (Green, column 10, lines 10-14, when source and destination addresses are confirmed from an access control list, connection setup is started) ;

preparing a message that includes the specified information and the specified conditions that were satisfied; and sending the message to one of a management application or a management proxy (Green, column 10, lines 28-40, a message after being given an authentication information with digital signature form is sent to the proxy filter).

Regarding claim 28, Green discloses a method for a network element to initiate notification about an anomalous condition, comprising: at the network element or a proxy server, performing the computer-implemented steps of:

receiving first definitions of one or more triggers, each comprising one or more conditions (Green, column 8, lines 14-24, fig.3b, in a proxy device, data conformed with predefined conditions is monitored by a connection manager);

receiving second definitions of report information; determining that any of the triggers is satisfied, and in response thereto, initiating communication of at least some of the report information to a management proxy or a management application (Green, column 3, lines 29-33, column 3, lines 35-43, the poller checks continuously network interface by sending out poller query message, when a message is polled, the proxy sends another message to the server stating an interface is reachable).

Regarding claim 33, Green discloses a method as recited in Claim 28, wherein the steps are performed by the proxy server, wherein the proxy server is logically separate from the network element, wherein the proxy server manages notifications for a plurality

of network elements (Green, column 8, lines 5-14, fig.3, a proxy is not part of the network for which it is monitors devices).

Regarding claim 34, Green discloses a method for a network element to initiate notification to a management point about an anomalous condition, comprising the computer-implemented steps of:

requesting a management gateway that is communicatively coupled to the network element to provide one or more application requests for the network element that have been stored at the management gateway by an application (Green, column 9, lines 17-19, a proxy passes through the application of OSI protocol by using application gateway solution);

in response to receiving an application request, initiating at the network element a communication session between the network element and the management application for enabling the network element to reply to the application request (Green, column 9, lines 6-12, the proxy replies to client and server request to other system and evaluates the request after establishing connection between source and destination).

Regarding claim 35, Green discloses a method as recited in Claim 34, wherein the steps are performed by a server that is logically separate from the network element and communicatively coupled to the management gateway (Green, column 9, lines 17-19, a proxy passes through the application of OSI protocol by using application gateway

solution).

Regarding claim 36, Green discloses a method as recited in Claim 34, further comprising the step of initiating at the network element communication of at least some of the report information that is responsive to the application request (Green, column 3, lines 29-33, column 3, lines 35-43, the poller checks continuously network interface by sending out poller query messages, when a message is polled, the proxy sends another message to the server stating a interface is reachable).

Regarding claim 37, Green discloses a method as recited in Claim 34, wherein each of the application requests comprises first definitions of one or more triggers, each comprising one or more conditions (Green, column 8, lines 14-24, fig.3b, in a proxy device, data conformed with predefined conditions is monitored by a connection manager), and

second definitions of report information; and further comprising the step of determining that any of the triggers is satisfied, and in response thereto, initiating at the network element communication of at least some of the report information (Green, column 3, lines 29-33, column 3, lines 35-43, the poller checks continuously network interface by sending out poller query messages, when a message is polled, the proxy sends another message to the server stating a interface is reachable).

Regarding claim 42, Green discloses a computer-readable storage medium storing one or more instructions for self- initiated management of a network entity, wherein the one or more instructions, when executed by one or more processors, cause: performing, at the network entity, the computer-implemented steps of:

monitoring the network entity; periodically evaluating one or more specified conditions at the network entity (Green, column 8, lines 14-24, fig.3b, in a proxy device, data conformed with predefined conditions is monitored by a connection manager);

when one or more of the specified conditions are satisfied, then: gathering specified information from the network entity; preparing a message that includes the specified information and the specified conditions that were satisfied ( Green, column 10, lines 10-14, when source and destination addresses are confirmed according to a access control list, a connection setup is started ); and

sending the message to one of a management application or a management proxy (Green, column 10, lines 28-40, a message having authentication information with digital signature form is sent to the proxy filter).

Regarding claim 48, Green discloses a computer-readable storage medium storing one or more instructions for a network element to initiate notification about an anomalous condition, wherein the one or more instructions, when executed by one or more processors, cause: at the network element or a proxy server, performing the computer-implemented steps of:



receiving first definitions of one or more triggers, each comprising one or more conditions (Green, column 8, lines 14-24, fig.3b, in a proxy device, data conformed with predefined conditions is monitored by a connection manager);

receiving second definitions of report information; determining that any of the triggers is satisfied, and in response thereto, initiating communication of at least some of the report information to a management proxy or a management application (Green, column 3, lines 29-33, column 3, lines 35-43, the poller checks continuously network interface by sending out poller query messages, when a message is polled, the proxy sends another message to the server stating a interface is reachable).

Regarding claim 53, Green discloses the computer-readable storage medium as recited in Claim 48, wherein the one or more instructions, when executed by one or more processors, cause the steps to be performed by the proxy server, wherein the proxy server is logically separate from the network element, wherein the proxy server manages notifications for a plurality of network elements (Green, column 8, lines 5-14, fig.3, a proxy is located outside of the network for which it monitors devices).

Regarding claim 54, Green discloses a computer-readable storage medium storing one or more instructions for a network element to initiate notification to a management point

about an anomalous condition, wherein the one or more instructions, when executed by one or more processors, cause:

requesting a management gateway that is communicatively coupled to the network element to provide one or more application requests for the network element that have been stored at the management gateway by an application (Green, column 9, lines 17-19, a proxy passes through the application of OSI protocol by using application gateway solution);

in response to receiving an application request, initiating at the network element a communication session between the network element and the management application for enabling the network element to reply to the application request (Green, column 9, lines 6-12, the proxy replies to client and server request to other system and evaluates the request before establishing a connection between source and destination ).

Regarding claim 55, Green discloses the computer-readable storage medium as recited in Claim 54, wherein the one or more instructions, when executed by one or more processors, cause the steps to be performed by a server that is logically separate from the network element and communicatively coupled to the management gateway (Green, column 9, lines 17-19, a proxy passes through the application of OSI protocol by using application gateway solution).

Regarding claim 56, Green discloses the computer-readable storage medium as recited in Claim 54, wherein the one or more instructions, when executed by one or more processors, further cause initiating at the network element communication of at least some of the report information that is responsive to the application request (Green, column 3, lines 29-33, column 3, lines 35-43, the poller checks continuously network interface by sending out poller query messages; one a message is polls a message is sent to the server stating a interface is reachable).

Regarding claim 57, Green discloses the computer-readable storage medium as recited in Claim 54, wherein each of the application requests comprises first definitions of one or more triggers, each comprising one or more conditions, and second definitions of report information; and further comprising the step of determining that any of the triggers is satisfied, and in response thereto, initiating at the network element communication of at least some of the report information (Green, column 3, lines 29-33, column 3, lines 35-43, the poller checks continuously network interface by sending out poller query messages, when a message is polled, the proxy sends another message to the server stating a interface is reachable).

**Claim Rejections - 35 USC § 103**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

6. Claims 2-6, 29 -32, 38 – 41, 43 – 47, and 49 – 52, and 58-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Green** in view of **Davies (US 6,058,420)**.

*Green discloses the invention substantially as claimed including method and apparatus providing device-initiated network management.*

Regarding claim 2, Green discloses a method of managing a network entity that is initiated by the network entity, the method comprising:

performing, at a management proxy, the computer-implemented steps of:  
receiving a request from a management application for interaction with the

network entity ( Green, column 10, lines 8-9, the Sidewinder, a software network management, sends a request and passes the calling information to the proxy);

creating a management request that includes a network element identifier (Grenn, column 10, lines 8-12, a request has the source and destination addresses on it);

in response to the poll message:

Although Green discloses a request management method, he does not disclose a method selecting one or more management requests that match the network entity; and delivering the selected one or more management requests to the network entity; wherein the management proxy is external to the management application and the network entity; storing a management request in the management proxy while awaiting a poll for the management request from the network entity; receiving a poll message from the network entity, wherein the each poll message requests any available management requests applicable to the network entity.

Davies discloses a method storing a management request in the management proxy while awaiting a poll for the management request from the network entity (Davies, column 10, lines 61-66, the connection request is stored until the poller sends a Get request command);

receiving a poll message from the network entity, wherein the each poll message requests any available management requests applicable to the network entity

(Davies, column 11, lines 16-30, the poll Request gets a response by an interface that receives that message);

selecting one or more management requests that match the network entity; and delivering the selected one or more management requests to the network entity; wherein the management proxy is external to the management application and the network entity (Davies, column 3, lines 35-43, after a query message is polled, a response message is sent to the server stating a interface is reachable).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies poll feature in Green method in order to create a request management method with a poll feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 3, Green discloses a method as recited in Claim 2, further comprising performing, at the management proxy:

receiving a responsive management message from the network entity (Green, column 10, lines 43-44, the filter component of the proxy returns status to the communications components); storing the responsive management message in the

management proxy (Green, column 10, lines 28-30, the proxy has a database that can store messages);

Although Green discloses a request management method, he does not disclose a method receiving a second poll message from the management application, wherein the second poll message requests any responsive management messages applicable to the management application; in response to the second poll message, selecting one or more responsive management messages that match the management application; and delivering the selected one or more responsive management messages to the management application.

Davies discloses a method receiving a second poll message from the management application, wherein the second poll message requests any responsive management messages applicable to the management application; in response to the second poll message (Davies, column 3, lines 29-33, the poller checks continuously network interface by sending out a poller query message) ,

selecting one or more responsive management messages that match the management application; and delivering the selected one or more responsive management messages to the management application (Davies, column 3, lines 35-43, after a query message is polled, a response message is sent to the server stating a interface is reachable).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies poll feature in Green method in order to create a request management method with a poll feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 4, Green discloses a method as recited in any of Claims 1 or 2, in addition Green discloses wherein the network entity is within a private network that is managed by a network service provider, and wherein the management proxy and the management application are within a public network that is owned or operated by the network service provider. (Green, fig. 3b, a proxy, a device belonging to a provider, is has a connection manager on it)

Regarding claim 5, Green discloses a method as recited in any of Claims 1 or 2, in addition Green discloses wherein the network entity is a service appliance (Green, column 4, lines 65-67, a router is disclosed).

Regarding claim 6, Green discloses a method as recited in any of Claims 1 or 2, in addition Green discloses wherein the network entity is a switch or router (Green, column 4, lines 65-67, a router is disclosed).



Regarding claim 29, Green discloses a method as recited in Claim 28.

Although Green discloses a request management method, he does not disclose a method wherein each of the conditions comprises an event, alarm, combination of events or alarms, or pattern of events or alarms.

Davies discloses a method wherein each of the conditions comprises an event, alarm, combination of events or alarms, or pattern of events or alarms (Davies, column 4, lines 35-43, a server receives alarm information).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies alarm feature in Green method in order to create a request management method with a alarm feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 30, Green discloses a method as recited in Claim 28.

Although Green discloses a request management method, he does not disclose a method wherein each of the conditions comprises a state of the network element.

Davies discloses a method wherein each of the conditions comprises a state of the network element (Davies, column 4, lines 47-51, a device address is part of sent information).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies state of network feature in Green method in order to create a request management method with a state of network feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 31, Green discloses a method as recited in Claim 28.

Although Green discloses a request management method, he does not disclose a method wherein the report information describes any of the triggers that were determined as satisfied.

Davies discloses a method wherein the report information describes any of the triggers that were determined as satisfied (Davies, column 3, lines 40-42, the message indicates that the device is reachable).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies alarm feature in Green method in

order to create a request management method with a alarm feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 32, Green discloses a method as recited in Claim 28.

Although Green discloses a request management method, he does not discloses a method wherein the report information comprises any of a core dump from the network element, a configuration of the network element, state information for the network element, or a log of the network element.

Davies discloses a method wherein the report information comprises any of a core dump from the network element, a configuration of the network element, state information for the network element, or a log of the network element (Davies, column 3, lines 40-42, the message indicates that the address of the device that is reachable).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies state of network feature in Green method in order to create a request management method with a state of network feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 38, Green discloses a method as recited in Claim 37.

Although Green discloses a request management method, he does not disclose a method wherein each of the conditions comprises an event, alarm, combination of events or alarms, or pattern of events or alarms.

Davies discloses a method wherein each of the conditions comprises an event, alarm, combination of events or alarms, or pattern of events or alarms (Davies, column 4, lines 5-9, a server receives alarm information).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies alarm feature in Green method in order to create a request management method with a alarm feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 39, Green discloses a method as recited in Claim 37.

Although Green discloses a request management method, he does not disclose a method wherein each of the conditions comprises a state of the network element.

Davies discloses a method wherein each of the conditions comprises a state of the network element (Davies, column 4, lines 35-43, the alarm has information on it).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies state of network feature in Green method in order to create a request management method with a state of network feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 40, Green discloses a method as recited in Claim 37.

Although Green discloses a request management method, he does not disclose a method wherein the report information describes any of the triggers that were determined as satisfied.

Davies discloses a method wherein the report information describes any of the triggers that were determined as satisfied (Davies, column 3, lines 40-42, the message indicates that the device is reachable).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies alarm feature in Green method in order to create a request management method with a alarm feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 41, Green discloses a method as recited in Claim 37.

Although Green discloses a request management method, he does not disclose a method wherein the report information comprises any of a core dump from the network element, a configuration of the network element, state information for the network element, or a log of the network element.

Davies discloses a method wherein the report information comprises any of a core dump from the network element, a configuration of the network element, state information for the network element, or a log of the network element (Davies, column 3, lines 40-42, the message indicates that the address of the device that is reachable).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies state of network feature in Green

method in order to create a request management method with a state of network feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 43, Green discloses a computer-readable storage medium storing one or more instructions for self- initiated management of a network entity, wherein the one or more instructions, when executed by one or more processors, cause: performing, at a management proxy, the computer-implemented steps of:

receiving a request from a management application for interaction with the network entity ( Green, column 10, lines 8-9, The Sidewinder, a network management software, sent a request and pass the calling information to the proxy);

creating a management request that includes a network element identifier (Green, column 10, lines 8-12, a request has the source and destination addresses on it);

in response to the poll message:

Although Green discloses computer readable medium storage a request management method, he does not disclose a computer readable medium selecting one or more management requests that match the network entity; and delivering the selected one or more management requests to the network entity; wherein the management proxy is external to the management application and the network entity; storing a management request in the management proxy while awaiting a poll for the

management request from the network entity; receiving a poll message from the network entity, wherein each poll message requests any available management requests applicable to the network entity;

Davies discloses a computer readable medium selecting one or more management requests that match the network entity; and delivering the selected one or more management requests to the network entity; wherein the management proxy is external to the management application and the network entity (Davies, column 3, lines 35-43, after a query message is polled, a response message is sent to the server stating a interface is reachable).

storing a management request in the management proxy while awaiting a poll for the management request from the network entity (Davies, column 10, lines 61-66, the request is stored until the poller sent a Get request command);

receiving a poll message from the network entity, wherein each poll message requests any available management requests applicable to the network entity (Davies, column 11, lines 16-30, the poll Request get a response by an interface that receives that message);

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies poll feature in Green method in order to create a request management method with a poll feature in order to notify a



selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 44, Green discloses the computer-readable storage medium as recited in Claim 43, in addition Green discloses further comprising one or more instructions that, when executed by one or more processors, cause the management proxy to perform the steps of:

receiving a responsive management message from the network entity (Green, column 10, lines 43-44, the filter component of the proxy returns status to the communications components); storing the responsive management message in the management proxy (Green, column 10, lines 28-30, the proxy has a database that can store messages);

receiving a second poll message from the management application, wherein the second poll message requests any responsive management messages applicable to the management application (Green, column 3, lines 29-33, column 3, lines 35-43, the poller checks continuously network interface by sending out poller query messages, when a message is polled, the proxy sends another message to the server stating a interface is reachable);

in response to the second poll message: selecting one or more responsive management messages that match the management application; and delivering the selected one or more responsive management messages to the

management application (Green, column 3, lines 35-43, after a query message is polls, a response message is sent to the server stating a interface is reachable).

Regarding claim 45, Green discloses the computer-readable storage medium as recited in any of Claims 42 or 43, in addition Green discloses wherein the network entity is within a private network that is managed by a network service provider, and wherein the management proxy and the management application are within a public network that is owned or operated by the network service provider. (Green, fig. 3b, a proxy, a device belonging to a provider, has a connection manager on it)

Regarding claim 46, Green discloses the computer-readable storage medium as recited in any of Claims 42 or 43, in addition Green discloses wherein the network entity is a service appliance (Green, column 4, lines 65-67, a router is disclosed).

Regarding claim 47, Green discloses the computer-readable storage medium as recited in any of Claims 42 or 43, in addition Green discloses wherein the network entity is a switch or router (Green, column 4, lines 65-67, a router is disclosed).

Regarding claim 49, Green discloses the computer-readable storage medium as recited in Claim 48,

Although Green discloses computer readable medium storage a request management method, he does not disclose a computer readable medium wherein each of the conditions comprises an event, alarm, combination of events or alarms, or pattern of events or alarms.

Davies discloses a computer readable medium wherein each of the conditions comprises an event, alarm, combination of events or alarms, or pattern of events or alarms (Davies, column 4, lines 5-9, a server receives alarm information).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies alarm feature in Green method in order to create a request management method with a alarm feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 50, Green discloses the computer-readable storage medium as recited in Claim 48.

Although Green discloses computer readable medium storage a request management method, he does not disclose a computer readable medium wherein each of the conditions comprises a state of the network element.

Davies discloses a computer readable medium wherein each of the conditions comprises a state of the network element (Davies, column 4, lines 47-51, a device address is part of sent information).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies state of network feature in Green method in order to create a request management method with a poll feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 51, Green discloses Green discloses the computer-readable storage medium as recited in Claim 48.

Although Green discloses computer readable medium storage a request management method, he does not disclose a computer readable medium wherein the report information describes any of the triggers that were determined as satisfied.

Davies discloses a computer readable medium wherein the report information describes any of the triggers that were determined as satisfied (Davies, column 3, lines 40-42, the message indicates that the device is reachable).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies alarm feature in Green method in order to create a request management method with a alarm feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 52, Green discloses the computer-readable storage medium as recited in Claim 48.

Although Green discloses computer readable medium storage a request management method, he does not disclose a computer readable medium wherein the report information comprises any of a core dump from the network element, a configuration of the network element, state information for the network element, or a log of the network element.

Davies discloses a computer readable medium wherein the report information comprises any of a core dump from the network element, a configuration of the network element, state information for the network element, or a log of the network element (Davies, column 3, lines 40-42, the message indicates that the address of the device that is reachable).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies state of network feature in Green method in order to create a request management method with a state of network feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 58, Green discloses the computer-readable storage medium as recited in Claim 57.

Although Green discloses computer readable medium storage a request management method, he does not disclose a computer readable medium wherein each of the conditions comprises an event, alarm, combination of events or alarms, or pattern of events or alarms.

Davies discloses a computer readable medium wherein each of the conditions comprises an event, alarm, combination of events or alarms, or pattern of events or alarms (Davies, column 4, lines 5-9, a server receives alarm information).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies alarm feature in Green method in order to create a request management method with a alarm feature in order to notify a

selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 59, Green discloses the computer-readable storage medium as recited in Claim 57.

Although Green discloses computer readable medium storage a request management method, he does not disclose a computer readable medium wherein each of the conditions comprises a state of the network element.

Davies discloses a computer readable medium wherein each of the conditions comprises a state of the network element (Davies, column 4, lines 47-51, a device address is part of sent information).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies state of network feature in Green method in order to create a request management method with a state of network feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 60, Green discloses the computer-readable storage medium as recited in Claim 57.

Although Green discloses computer readable medium storage a request management method, he does not disclose a computer readable medium wherein the report information describes any of the triggers that were determined as satisfied.

Davies discloses a computer readable medium wherein the report information describes any of the triggers that were determined as satisfied (Davies, column 3, lines 40-42, the message indicates that the device is reachable)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies alarm feature in Green method in order to create a request management method with a alarm feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

Regarding claim 61, Green discloses the computer-readable storage medium as recited in Claim 57.

Although Green discloses computer readable medium storage a request management method, he does not disclose a computer readable medium wherein the report information comprises any of a core dump from the network element, a



configuration of the network element, state information for the network element, or a log of the network element.

Davies discloses a computer readable medium wherein the report information comprises any of a core dump from the network element, a configuration of the network element, state information for the network element, or a log of the network element (Davies, column 3, lines 40-42, the message indicates that the address of the device that is reachable).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Davies state of network feature in Green method in order to create a request management method with a poll feature in order to notify a selected device among devices in a network when to send a message to the management system. (Davies, column 3, lines 44-51)

7. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure. Clark et al. (US 6,131,117) is made part of the record because of the teaching of monitoring network resources. Buyukkoc et al. (US 6,189,043 B1) is made part of the record because of the teaching of monitoring service requests. Martin (US 6,263,368 B1) is made part of the record because of the monitoring traffic network. Hogan et al. (US 6,279,038 B1) is made part of the record because of the teaching of fraud detection system. Massa et al. (US 6,658,469 B1) is made part of the record

because of the teaching of observing applications. Jakobson et al. (US 6766368 B1) is made part of the record because of the teaching of monitoring events.

### **Conclusion**

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication from the examiner should be **directed to Marie Georges Henry whose telephone number is (571) 270-3226**. The examiner can normally be reached on Monday to Friday 7:30am - 4:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-5026. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marie Georges Henry/  
Examiner, Art Unit 2455

/saleh najjar/  
Supervisory Patent Examiner, Art Unit 2455